



THE CITY OF SAN DIEGO

## MEMORANDUM

DATE: June 30, 2017

TO: Helene Deisher, Development Project Manager II, Development Services Department

FROM: Stephanie Bracci, Senior Planner, Transportation & Storm Water Department

SUBJECT: Substantial Conformance Review for Individual Maintenance Plan (IMP) and Individual Technical Assessments for Tijuana River Pilot Channel and Smuggler's Gulch, City of San Diego Site Development Permit No. 1134892, Master Storm Water System Maintenance Program

---

The Transportation & Storm Water Department (T&SWD) formally requests your Department's expedited review and written approval to conduct channel maintenance activities in the Tijuana River Pilot Channel and Smuggler's Gulch (MMP Maps 138 a-c, & 139). In conformance with the City of San Diego (City) modified Master Storm Water System Maintenance Program's (Master Maintenance Program or MMP) amended Site Development Permit (SDP) No. 1134892 and Program Environmental Impact Report (PEIR) Project No. 42891/SCH No. 2004101032, the attached Individual Maintenance Plan (IMP) package is submitted for Substantial Conformance Review (SCR). Due to the rate of sediment deposition in the Tijuana River Valley Maintenance Channel, maintenance activities are required, and anticipated to occur during the 2017-2018 maintenance period, which is specified as September 15 through September 14, annually. The City is submitting the Substantial Conformance Review (SCR) documents with updated information for your review.

Maintenance activities under the MMP that are associated with the Tijuana River Valley Channel Maintenance Project have occurred periodically since 2013. Maintenance activities have generally been conducted between September 15 and March 15 to avoid potential impacts to nesting birds. Formal regulatory approval and implementation of detailed protocol survey mitigation measures have allowed the City to conduct maintenance activities as-needed and weather permitting throughout the calendar year for the Tijuana River Valley Channel Maintenance Project. Accordingly, this 2017 SCR submittal package (2017 SCR) is intended to address maintenance activities conducted in the 2017-2018 maintenance period, which begins September 15, 2017 and ends September 14, 2018 (2017-2018 maintenance period).

For each previous SCR submittal, an SCR package containing an Individual Maintenance Plan (IMP) and other associated Individual Assessments (IAs) has been approved. The SCR submitted in January 2013 (2013 SCR) for maintenance in the 2013-2014 maintenance period

was approved in 2013. A second SCR package, for maintenance in the 2015–2016 maintenance period (2015 SCR), that included an updated IMP (2015 IMP) and IBA (2015 IBA), was approved in July 2015. Finally, a third SCR package, for maintenance in the 2016–2017 maintenance period (2016 SCR), that included an updated IMP, was approved in July 2016.

Existing conditions and mitigation impacts were re-evaluated in 2017 in order to assess conditions in advance of the 2017–2018 maintenance period. Note that the 2016 IMP included a new Water Pollution Control Plan (WPCP) and specific updates to the Construction Plans, Master List of BMPs, and the Maintenance Methodology. An updated WPCP and Maintenance Methodology have been prepared for the 2017–2018 maintenance period. These updated plans did not result in changes to the overall project. The Construction Plans and Master List of BMPs from the previous SCR have been determined to be applicable for the 2017–2018 maintenance period. Environmental resource conditions remain substantially similar to those described in the 2016 SCR. Accordingly, this letter and attachments serve as the basis for SCR determination for maintenance work in the 2017–2018 monitoring period as part of the Tijuana River Valley Channel Maintenance Project.

Additionally, the channel maintenance plans and methodologies are substantially similar to previously approved plans with minor updates as indicated below. The impacts associated with ongoing channel maintenance activities are fully mitigated through implementation of habitat and water quality mitigation measures either in progress or already complete.

## **PROJECT LOCATION**

The project is located in the Tijuana River Valley Community Planning Area. The Pilot Channel and Smugglers Gulch Channel are generally bordered by Hollister Street to the east and Monument Road to the south. Maintenance will include use of two existing staging areas, Staging Area B and Staging Area D as identified on the IMP. Staging Area B is just east of the southern end of Smuggler's Gulch Channel. Staging Area D is located to the east end of the project, near the South Bay International Wastewater Treatment Plant. The channel maintenance areas, access routes, and Staging Area B lie within the City of San Diego Multi-Habitat Planning Area (MHPA). Staging Area D is outside and to the east of the MHPA. The channels are located in the Coastal Zone. The project site is located within the U.S. Geological Survey 7.5 minute Imperial Beach quadrangle.

## **BACKGROUND AND EXISTING PERMITS**

A previous Tijuana River Pilot Channel and Smuggler's Gulch Channel maintenance project IMP and IA package received SCR approval in February 2013 (2013 SCR) as required under the MMP amended Site Development Permit (SDP) No. 1134892 and Program Environmental Impact Report (PEIR) Project No. 42891/SCH No. 2004101032. Maintenance activities in the Pilot Channel and Smuggler's Gulch Channel were conducted during the 2013–2014 maintenance period. Appropriate environmental permits were also issued by the California Department of Fish and Wildlife (CDFW), Regional Water Quality Control Board (RWQCB), United States Fish and Wildlife Service (USFWS), Army Corps of Engineers (ACOE), and the California Coastal Commission (CCC) in 2012 and 2013 based on the project scope, impacts, and mitigation. An extension to the RWQCB 401 permit was authorized on April 14, 2017 expanding the permit coverage through October 31, 2017 and an extension request for the ACOE 404 permit was submitted in December 2016 and is also pending. A permit extension request

for CDP) No. A-6-NOC-11-086 was approved by Coastal Commission staff in June 2017. An extension of the project's CDFW Streambed Alteration Agreement (1600-2011-0271-R5) was also requested and was granted, extending the permit term through November 30, 2021. Maintenance activities in the Pilot Channel and Smuggler's Gulch Channel have been conducted during the 2013-2014, 2015-2016, and 2016-2017 maintenance periods. Appropriate construction-related Best Management Practices (BMPs) and concurrent wetland compensatory mitigation have been implemented as part of the comprehensive channel maintenance project.

Current planned channel maintenance activities are authorized under the permits and provisions listed in Table 1 below.

**Table 1. Summary of Permit Authorization for Maintenance of the Tijuana River Pilot Channel and Smuggler's Gulch**

Agency	Permit Number	Date
U.S. Army Corps of Engineers (ACOE)	SPL-2009-00719-RSS	October 31, 2012 <sup>1</sup>
California Department of Fish and Wildlife (CDFW)	1600-2011-0271-R5	December 8, 2011 <sup>2</sup>
California Coastal Commission (CCC)	A-6-NOC-11-086	November 13, 2012 <sup>3</sup>
U.S. Fish and Wildlife Service (USFWS)	FWS-SDG-08B0600-10F0001	August 24, 2012
California Regional Water Quality Control Board (RWQCB)	09C-077	April 17, 2012 <sup>4</sup>
Master Storm Water System Maintenance Program- Program Environmental Impact Report (PEIR)	SCH. No. 2005101032, Project No. 42891	October 2011

Notes:

<sup>1</sup> Permit extension request submitted December 2016.

<sup>2</sup> Permit extension granted, extending permit through November 20, 2021.

<sup>3</sup> Permit extension approved in June 2017 extending the permit term to November 19, 2019.

<sup>4</sup> These certification is scheduled to expire on October 30, 2017. An application has been submitted to renew the certification, which, if accepted, would extend the certification for an additional 10 years.

## PROJECT DESCRIPTION

The proposed ongoing maintenance of the earthen Tijuana River Pilot and Smuggler's Gulch Channels includes the mechanized removal of sediment, vegetation and trash and debris from the channels (approximately 8,716 linear feet are specified as maintenance channel in the MMP). In addition, pre-maintenance work may be required for the Pilot Channel to pump accumulated stagnant ponded water out of the maintenance channel in order to sufficiently dry out the channel and allow for mechanized excavation.

The periodic ongoing maintenance of both channels is needed to restore the channels' flood conveyance capacity to their original design condition and to minimize impacts of downstream transport of accumulated sediment and trash and debris from the project area to the Tijuana River National Estuarine Research Reserve. The project incorporates removal of approximately 10,000-30,000 cubic yards of material, occupying a total of 4.31 acres. Moreover, based on historical sediment accumulation rates within the Tijuana River Valley maintenance channels, it is expected that maintenance activities will be necessary for the future of this maintenance program.

## **INDIVIDUAL MAINTENANCE PLAN AND MAINTENANCE METHODOLOGY**

Consistent with the PEIR for the MMP, the City submits an IMP and related Individual Technical Assessments for review and approval. The IMP identifies the scope of work, maintenance methodology and procedures, equipment, and duration for maintenance activities planned in the two channels. To provide more proactive guidance for the maintenance activities being conducted, the IMP also includes a comprehensive list of BMPs, maintenance protocols and mitigation measures derived from the applicable permits and regulations that are being implemented to avoid, minimize, and/or mitigate potential environmental effects to sensitive resources.

*Specifically, the IMP includes the following components:*

- Narrative description of the specific aspects of planned maintenance activities, including: impact area (length and width of facility to be maintained), maintenance methods, equipment types, access routes/points, staging and stockpiling areas, potential pre- and during-maintenance pumping activities and maintenance duration/schedule.
- Master list of BMPs, maintenance protocols and mitigation measures applicable to the maintenance activities being performed, derived from the following source documents and permits detailed in Table 1:
  - City of San Diego Transportation & Storm Water Department Master Storm Water System Maintenance Program (MMP)
  - MMP Programmatic Environmental Impact Report (PEIR)
- Construction plan set for maintenance activities.
- Water Pollution Control Plan that identifies specific types and locations for BMP implementation during maintenance activities.
- Individual Technical Assessments conducted to inform the specific maintenance activities and mitigation measures required for the project, including:
  - Individual Hydrology and Hydraulic Assessment (IHHA);
  - Individual Biological Assessment (IBA);
  - Individual Historical Assessment (IHA);
  - Individual Water Quality Assessment (IWQA); and
  - Individual Noise Assessment (INA).

Since the most recent maintenance activities, natural and anthropogenic processes in the upstream watershed have resulted in additional sediment, trash and debris accumulation in the channel maintenance areas. Field survey observations indicate that site conditions are substantially similar to conditions evaluated as part of the 2013, 2015, and 2016 IMPs. In addition, ponded water from winter and spring rains has again accumulated in the Pilot Channel. The City has prepared a cover letter associated with the 2015 IBA based on current biological conditions in the Tijuana River Pilot and Smuggler's Gulch Channels. The 2017 IBA cover letter includes a summary technical review of the 2015 IBA, which was found to be in substantial conformance with current assessed conditions, as well as an updated California

Natural Diversity Database (CNDDB) records search. Details regarding the water quality and noise aspects related to this project component are detailed in the appropriate IA cover letters.

The planned maintenance activities for the 2017-2018 maintenance period may include pumping of accumulated stagnant ponded water out of the Pilot Channel maintenance area. The pumping activity may be needed in order to sufficiently dry out the channel to allow for mechanized excavation prior to the beginning of maintenance activities and as-needed during maintenance. The City has prepared a diversion plan to manage the water pumping activities as-needed for the duration of the project. The diversion plan includes focused biological surveys and a protected species plan to mitigate potential noise impacts to protected species from the pumping activity. Other maintenance methods remain unchanged from the previous maintenance event and include: mobilization and demobilization of equipment, excavation and clearing of accumulated sediment, trash and debris from the channel areas, maintenance of culverts in the Smugglers Gulch Channel and maintenance of existing equipment turnaround areas.

The City's technical environmental consultants conducted a review of the previous SCR IBA, IHHA, IHA, IWQA, and INA based on current conditions. Since conditions and the project scope are generally the same as those for the 2013-2014, 2015-2016, and 2016-2017 maintenance periods, the technical environmental consultants determined that these studies are generally applicable to the work anticipated to begin in fall 2017 for the 2017-2018 maintenance period. Cover letters for the IBA, IHHA, IHA, IWQA, and INA have been prepared to document any minor changes in conditions or methodology that may impact mitigation measure implementation.

## CONCLUSION

The PEIR for the MMP outlines a SCR process where annual plans for priority channels requiring maintenance activities are reviewed by the City's Development Services Department (DSD) and the state and federal resource agencies for consistency with the MMP permits and PEIR. The IMP and attachments have been reviewed internally and evaluated against the SCR checklist (Attachment 3) contained in the MMP. The SCR Checklist concludes that the proposed maintenance is consistent with the requirements of the MMP and PEIR.

Should you have any questions or need additional information, please contact Mariah Mills, Associate Planner, by e-mail at [mmills@saniego.gov](mailto:mmills@saniego.gov) or phone at (619) 527-7537.

Sincerely,



Stephanie Bracci  
Senior Planner

Attachments:

1. Individual Maintenance Plan (IMP) for Tijuana River Pilot and Smuggler's Gulch Channels
  - a. Construction Plans
  - b. Master List of Best Management Practices (BMPs), Maintenance Protocols and Mitigation Measures
  - c. Water Pollution Control Plan (WPCP)
  - d. Maintenance Methodology
2. Regulatory Permits
3. Substantial Conformance Review Checklist

Appendices:

- A. Individual Hydrology and Hydraulic Assessment (IHHA)
- B. Individual Biological Assessment (IBA)
- C. Individual Historical Assessment (IHA)
- D. Individual Water Quality Assessment (IWQA)
- E. Individual Noise Assessment (INA)
- F. Mitigation Reports
  - a. Current Condition Verification for the Tijuana River Emergency Channel Maintenance Wetland Mitigation Project, San Diego County, California
  - b. Final Wetlands Mitigation and Monitoring Plan for the Tijuana River Valley Channel Maintenance Project
  - c. Third Annual Mitigation Monitoring Report for the Tijuana River Valley Channel Maintenance Mitigation Project

cc: Gene Matter, Assistant Deputy Director, TSW  
Christine Rothman, Development Project Manager III, TSW  
Mariah Mills, Associate Planner, TSW